



UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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SEP 13 2001

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ARMSTRONG, WESTERMAN, HATTORI,
MCLELAND & NAUGHTON, LLP
1725 K STREET, NW, SUITE 1000
WASHINGTON, DC 20006

In re Application of :
Nobutaka Yamamoto et al :
Serial No.: 09/718,388 : PETITION DECISION
Filed: November 24, 2000 :
Attorney Docket No.: 001554 :

This is in response to the Petition under 37 CFR 1.59, filed August 3, 2001, to expunge an IDS statement submitted by applicants.

Applicants state that on May 21, 2001, an Information Disclosure Statement was filed in the Office in error. Applicants state that the material submitted was for educational purposes (of the attorney?) and not intended for submission with an IDS and request return of the material.

A review of the submitted material has been made by the examiner and examiner's supervisor who have indicated that the material submitted may be material to the determination of patentability of the claimed subject matter of the application. In view of this determination, the material (which can also be of educational value to the examiner) will not be returned. It is further noted that the material, when submitted, was not identified as proprietary material and was not submitted in a sealed envelope as required by M.P.E.P. 724.05.

Applicants' petition is **DENIED** for the reasons set forth above.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 305-7230.

John Doll
Director, Technology Center 1600